

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

INTERNATIONAL BUSINESS MACHINES)
CORPORATION,)
)
 Plaintiff,)
)
)
 v.) C.A. No. 16-122-LPS-CJB
)
)
)
GROUPON, INC.,)
)
)
 Defendant.)

**[PROPOSED] ORDER GRANTING MOTION
FOR JUDGMENT ON THE PLEADINGS**

At Wilmington this ____ day of _____, 201____, having considered the Motion of Groupon, Inc. for Judgment on the Pleadings that U.S. Patent No. 5,796,967 and U.S. Patent No. 7,072,849 Are Directed to Ineligible Subject Matter and Thus Invalid Under 35 U.S.C. § 101, along with all papers and argument submitted in support of the motion and in opposition thereto, it is ORDERED that the motion is GRANTED. U.S. Patent Nos. 5,796,967 and 7,072,849 are invalid under 35 U.S.C. § 101, and all claims of infringement against Groupon under those patents are DISMISSED with prejudice.

United States District Judge